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BUSINESS

Flood of Trademark Applications From China Alarms U.S. Officials

Most of the Chinese filers are tiny merchants hawking goods like pocketbooks, binoculars and phone chargers



China's southeastern city of Shenzhen, often referred to as the Silicon Valley of China, pays companies and individuals as much as roughly \$800 for each U.S. trademark they register. PHOTO: EPA/SHUTTERSTOCK

By Jacob Gershman

May 5, 2018 8:00 a.m. ET

Huge numbers of Chinese citizens are seeking trademarks in the U.S., flooding the U.S. Patent and Trademark Office with applications that officials say appear to be rife with false information.

The surge of filings from China has surprised the patent office. Officials say it could be fueled by cash subsidies that Chinese municipal governments are offering to citizens who register a trademark in a foreign country.

senior counsel at the patent office. As with patents, China has a “highly metric, numbers-oriented approach” to intellectual property, he said.

Having a trademark registered in the U.S. is crucial for sellers on Amazon, whose brand-registry program rewards officially trademarked products with more site visibility and a higher listing in search results.

A number of Chinese merchants appear to be represented by foreign attorneys who aren’t licensed to practice law in the U.S., violating application rules. In one recent application, a Shenzhen address was listed for an attorney representing a Hong Kong client who had digitally altered a photo to insert the word “Instamarket” over a Walmart storefront.

And more than a dozen Chinese applicants entered the name “Wendy” into the entry box for the attorney name on the trademark application.

Hundreds of Chinese applicants are represented by an Atlanta trademark attorney, Amber Saunders. She said she developed her client pool after accidentally emailing a marketing message to a China-based intellectual-property company, which then started steering Chinese merchants her way.

Some of the merchants had already submitted problematic paperwork that needed fixing. Ms. Saunders said she took on only clients whose commercial activity seemed legitimate. The ones submitted by a lawyer named “Wendy” were among the red flags, Ms. Saunders said. “I wanted to know if they were making stuff up.”

—*Fanfan Wang contributed to this article.*

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